

CHAPTER 13

An act to amend Sections 10620, 10621, 10631, and 10652 of, and to add Section 10656 to, the Water Code, relating to water.

[Became law without Governor's signature. Filed with Secretary of State October 14, 1991.]

The people of the State of California do enact as follows:

SECTION 1. Section 10620 of the Water Code is amended to read:

10620. (a) Every urban water supplier shall prepare and adopt an urban water management plan in the manner set forth in Article 3 (commencing with Section 10640).

(b) Every person that becomes an urban water supplier after December 31, 1984, shall adopt an urban water management plan within one year after it has become an urban water supplier.

(c) An urban water supplier indirectly providing water shall not include planning elements in its water management plan as provided in Article 2 (commencing with Section 10630) that would be applicable to urban water suppliers or public agencies directly providing water, or to their customers, without the consent of those suppliers or public agencies.

(d) (1) An urban water supplier may satisfy the requirements of this part by participation in areawide, regional, watershed, or basinwide urban water management planning where those plans will reduce preparation costs and contribute to the achievement of conservation and efficient water use.

(2) Each urban water supplier shall coordinate the preparation of its urban water shortage contingency plan with other urban water suppliers and public agencies in the area, to the extent practicable.

(e) The urban water supplier may prepare the plan with its own staff, by contract, or in cooperation with other governmental agencies.

SEC. 2. Section 10621 of the Water Code is amended to read:

10621. (a) Each urban water supplier shall, not later than January 31, 1992, prepare, adopt, and submit to the department an amendment to its urban water management plan which meets the requirements of subdivision (e) of Section 10631.

(b) Each urban water supplier shall periodically review its plan at least once every five years. After the review, it shall make any amendments or changes to its plan which are indicated by the review. Amendments or changes in its plan shall be adopted and filed in the manner set forth in Article 3 (commencing with Section 10640).

SEC. 3. Section 10631 of the Water Code is amended to read:

10631. A plan shall do all of the following:

(a) Include an estimate of past, current, and projected water use and, to the extent records are available, segregate those uses between residential, industrial, commercial, and governmental uses.

(b) Identify conservation measures currently adopted and being practiced.

(c) Describe alternative conservation measures, including, but not limited to, consumer education, metering, water saving fixtures and appliances, lawn and garden irrigation techniques, and low water use landscaping, which would improve the efficiency of water use with an evaluation of their costs and their environmental and other significant impacts.

(d) Provide a schedule of implementation for proposed actions as indicated by the plan.

(e) Provide an urban water shortage contingency plan which includes all of the following elements which are within the authority of the urban water supplier:

(1) Past, current, and projected water use and, to the extent records are available, a breakdown of those uses on the basis of residential single family, residential multifamily, industrial, commercial, governmental, and agricultural use.

(2) An estimate of the minimum water supply available at the end of 12, 24, and 36 months, assuming the worst case water supply shortages.

(3) Stages of action to be undertaken by the urban water supplier in response to water supply shortages, including up to a 50 percent reduction in water supply, and an outline of specific water supply conditions which are applicable to each stage.

(4) Mandatory provisions to reduce water use which include prohibitions against specific wasteful practices, such as gutter flooding.

(5) Consumption limits in the most restrictive stages. Each urban water supplier may use any type of consumption limit in its water shortage contingency plan that would reduce water use and is appropriate for its area. Examples of consumption limits that may be used include, but are not limited to, percentage reductions in water allotments, per capita allocations, an increasing block rate schedule for high usage of water with incentives for conservation, or restrictions on specific uses.

(6) Penalties or charges for excessive use.

(7) An analysis of the impacts of the plan on the revenues and expenditures of the urban water supplier, and proposed measures to overcome those impacts, such as the development of reserves and rate adjustments.

(8) A draft water shortage contingency resolution or ordinance to carry out the urban water shortage contingency plan.

(9) A mechanism for determining actual reductions in water use pursuant to the urban water shortage contingency plan.

(f) To the extent feasible, describe the method which will be used to evaluate the effectiveness of each conservation measure

implemented under the plan.

(g) Describe the steps which would be necessary to implement any proposed actions in the plan.

SEC. 4. Section 10652 of the Water Code is amended to read:

10652. The California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) does not apply to the preparation and adoption of plans pursuant to this part or to the implementation of subdivision (e) of Section 10631. Nothing in this part shall be interpreted as exempting from the California Environmental Quality Act any project that would significantly affect water supplies for fish and wildlife, or any project for implementation of the plan, other than projects implementing subdivision (e) of Section 10631, or any project for expanded or additional water supplies.

SEC. 5. Section 10656 is added to the Water Code, to read:

10656. An urban water supplier that does not submit an amendment to its urban water management plan pursuant to subdivision (a) of Section 10621 to the department by January 31, 1992, is ineligible to receive drought assistance from the state until the urban water management plan is submitted pursuant to Article 3 (commencing with Section 10640) of Chapter 3.